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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 BRADLEY McCORD,

11 Defendant.
12 _____

No. CR-06-2016-AAM

**MEMORANDUM
OPINION RE SENTENCING**

13 On November 6, 2006, the court sentenced defendant to a term of
14 imprisonment of 46 months. The court found the applicable advisory guideline
15 range was 37-46 months based on a Total Adjusted Offense Level of 14 and a
16 Criminal History Category of VI. The Total Adjusted Offense Level included a
17 two level reduction for acceptance of responsibility pursuant to U.S.S.G.
18 §3E1.1(a). The court, however, declined to give the defendant an extra one level
19 reduction pursuant to U.S.S.G. §3E1.1(b).

20 §3E1.1(b) authorizes an extra one level reduction where a defendant's timely
21 notification of his intention to enter a plea of guilty permits the government to
22 avoid preparing for trial and to allocate its resources efficiently. The government
23 opposes such a reduction and the court finds good cause for the same. Jury trial
24 was scheduled to commence on August 14, 2006. On August 7, the government
25 filed its trial brief and proposed jury instructions. It was not until August 11, a
26 mere three days before trial, that defendant notified the government that he would
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28 **MEMORANDUM OPINION
RE SENTENCING-**

1 be pleading guilty. In light of these facts, the reasons offered by defendant's
2 counsel at sentencing for defendant's delay in entering a guilty plea do not
3 persuade the court that the extra one level reduction is warranted.

4 The District Executive shall forward copies of this Memorandum Opinion to
5 counsel and to the U.S. Probation Office (Yakima).

6 **DATED** this 7TH of November, 2006.

7
8 s/ Alan A. McDonald
9 ALAN A. McDONALD
Senior United States District Judge